

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SEP 08 2009

Pelican Equity, LLC Plaintiff,

- against -

ROBERT V. BRAZELL, Defendant.
et al.

9 cv 5927 (NR)

MOTION TO ADMIT COUNSEL

PRO HAC VICE

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Paul Niehaus, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of

Applicant's Name: Kevin McBride
Firm Name: McBride Law, PC
Address: PO Box BB
City/State/Zip: Pasadena, CA 91102
Phone Number: (310) 714-1933
Fax Number: (626) 696-3410

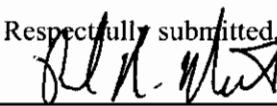
Kevin McBride is a member in good standing of the Bar of the States of California and Utah.

There are no pending disciplinary proceeding against Kevin McBride in any State or Federal court.

Dated: 9/8/2009

City, State: New York, New York

Respectfully submitted,


Sponsor's Paul R. Niehaus
SDNY Bar PN-3994
Firm Name: Niehaus LLP
Address: 1359 Broadway, Suite 2001
City/State/Zip: New York, New York 10018
Phone Number: (212) 631-0223
Fax Number: (212) 624-0223

CERTIFICATE OF SERVICE

I am a partner in Niehaus LLP, 1359 Broadway, Suite 2001, New York, New York 10018, local counsel defendant Darl McBride. I am over 18 years of age and am not a party to his action.

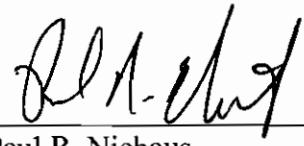
I hereby certify that on the 8th day of September, 2009, I caused a true and correct copy of the attached Motion to Admit Counsel Pro Hac Vice, and the accompanying Declaration of Paul R. Niehaus in Support of Motion to Admit Counsel Pro Hac Vice, with exhibits, to be mailed via US Mail, postage prepaid, to the following:

Steven Altman
Eric P. Rosenberg
Altman & Company, PC
260 Madison Ave. 22nd Floor
New York, NY 10016

James M. Ringer
Jeanette Renee' Blair
Meister, Seelig & Fein, LLP
Two Grand Central Tower
140 E. 45th St., 19th Floor
New York, NY 10017

Gerard E. Harper
Moses Silverman
Samuel Ethan Bonderoff
Paul, Weiss, Rifkind, Wharton & Garrison LLP
1285 Avenue of the Americas
New York, NY 10019

September 8, 2009
New York, New York



Paul R. Niehaus

Paul R. Niehaus
NIEHAUS LLP
1359 Broadway, Suite 2001
New York, New York 10018
(212) 631-0223

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PELICAN EQUITY, LLC,

Plaintiff,

vs.

ROBERT V. BRAZELL, STEPHEN L. NORRIS,
TALOS PARTNERS, LLC,
RAMA RAMACHANDRAN,
DARL McBRIDE AND BRYAN CAVE LLP,

Defendants.

09 Civ. 5927 (NRB)
ECF Case

DECLARATION OF PAUL
NIEHAUS IN SUPPORT
OF MOTION TO ADMIT
COUNSEL PRO HAC VICE

I, PAUL R. NIEHAUS, an attorney duly licensed to practice law before the Courts of the State of New York, and the bar of this Court, hereby declare and affirm under 28 U.S.C. § 1746 and all penalties of perjury that the following is true and accurate:

1. I am a partner in Niehaus LLP, local counsel for defendant Darl McBride in this action. I am fully familiar with the facts and circumstances of this case. Except as noted below, I have firsthand knowledge of the facts affirmed herein.
2. I make this affirmation in support of defendant Mr. McBride's motion on consent to admit *pro hac vice* Mr. Kevin McBride of the law firm McBride Law, P.C. of Pasadena, California for purposes of appearing before this Court in this matter, and for all other activities an attorney admitted to the Bar of this Court may undertake within the context of this action.

3. I am a member of good standing of the bar of the State of New York, and was admitted to practice in August, 1998. I also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

4. Mr. McBride is a member in good standing of the State bars of Utah and California.. Certificates of Good Standing for those states are attached as Exhibits A, and B, respectively.

5. No prior applications have been made for the relief requested herein.

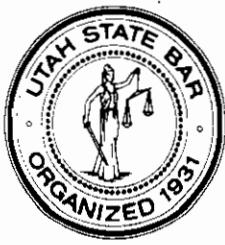
6. Mr. McBride is an attorney of good moral character, and possesses the general fitness requisite for an attorney and counselor-at-law. This belief is based on my professional interactions and relationship with Mr. McBride, and my conversations with Mr. McBride.

7. I respectfully present a proposed order granting the admission of Mr. McBride *pro hac vice*, a copy of which is attached hereto as Exhibit C.

Dated: September 8, 2009
New York, New York



Paul R. Niehaus (PN-3994)



Utah State Bar

645 South 200 East, Suite 310 • Salt Lake City, Utah 84111-3834
Telephone: 801-531-9077 • Fax: 801-531-0660
www.utahbar.org

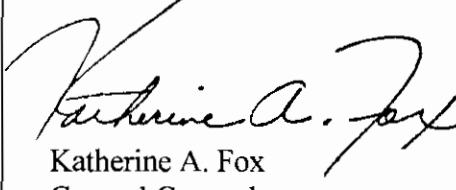
John C. Baldwin
Executive Director

August 28, 2009

To Whom It May Concern:

This is to certify that **Kevin P. McBride**, Utah State Bar No. **04494**, was admitted to practice law in Utah on **May 3, 1985** and is an active member of the Utah State Bar in good standing. "Good standing" is defined as a lawyer who is current in the payment of all Bar licensing fees, has met mandatory continuing legal education requirements, if applicable, and is not disbarred, presently on probation, suspended, or has not resigned with discipline pending, from the practice of law in this state.

No public disciplinary action involving professional misconduct has been taken against the license of **Kevin P. McBride** to practice law.



Katherine A. Fox

Katherine A. Fox
General Counsel
Utah State Bar

Board of Commissioners

Stephen W. Owens
President

Robert L. Jeffs
President-Elect

Steven R. Burt, AIA

Christian W. Clinger

Yvette D. Donosso

James D. Gilson

Mary Kay Griffin, CPA

Curtis M. Jensen

Felshaw King

Lori W. Nelson

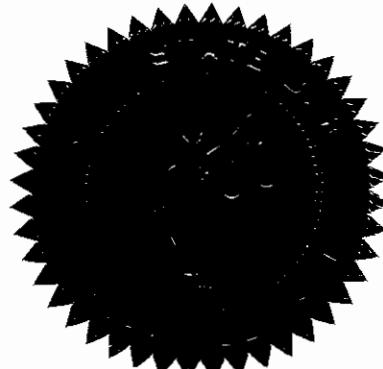
Herm Olsen

Scott R. Sabey

Thomas W. Seiler

Rodney G. Snow

E. Russell Vetter





THE STATE BAR OF CALIFORNIA

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

CERTIFICATE OF STANDING

September 1, 2009

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, KEVIN PATRICK MCBRIDE, #116852 was admitted to the practice of law in this state by the Supreme Court of California on December 3, 1984; that from the date of admission to May 8, 1989, he was an ACTIVE member of the State Bar of California; that on May 8, 1989, he transferred at his request to the INACTIVE status as of January 1, 1989; that from that date to April 24, 1990, he was an INACTIVE member of the State Bar of California; that on April 24, 1990, he transferred at his request to the ACTIVE status; that on August 12, 1991, he was suspended from the practice of law in California by order of the Supreme Court for nonpayment of State Bar membership fees; that said suspension remained in effect to November 24, 2003 upon which last mentioned date he was reinstated by the Supreme Court upon payment of all delinquent State Bar fees and penalties; that he has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

A handwritten signature in black ink, appearing to read "stl".

Sima La Fontaine
Custodian of Membership Records

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Pelican Equities, LLC Plaintiff,

9 cv 5927 (NRF)

- against -

ROBERT V. BRAZELL, et al Defendant.

**ORDER FOR ADMISSION
PRO HAC VICE
ON WRITTEN MOTION**

Upon the motion of Paul Niehaus, attorney for Darl McBride
and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that

Applicant's Name: Kevin McBride

Firm Name: McBride Law, PC

Address: PO Box BB

City/State/Zip: Pasadena, CA 91102

Telephone/Fax: (310) 714-1933

Email Address: km@mcbride-law.com

is admitted to practice pro hac vice as counsel for Darl McBride in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac vice fee to the Clerk of Court.

Dated:
City, State:

United States District/Magistrate Judge

SEP - 1 2009

RECEIVED
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
Sept 1 2009
ADM 9/1/09

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

THE AUTHORS GUILD, INC., *

ASSOCIATION OF
AMERICAN PUBLISHERS, INC., *

et al., *

Plaintiffs, * Civil Action No.: 05-CV-8136-DC

v. *

GOOGLE, INC., *

Defendant. *



MOTION TO ADMIT COUNSEL PRO HAC VICE

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of

Applicant's Name: Philip Roberts

Firm Name: The Johns Hopkins University

Address: 3400 North Charles Street / 113 Garland Hall

City/State/Zip: Baltimore, MD 21218

Telephone/Fax: (410) 516-8128 / (410) 516-5448

Email Address: philroberts@jhu.edu

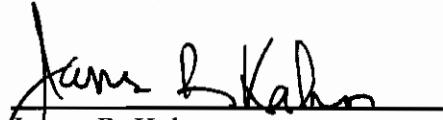
Philip Roberts is a member in good standing of the Bar of the State of Maryland. There are no pending disciplinary proceeding against Philip Roberts in any State or Federal court. In support

of this motion, I submit my affidavit and a certificate of good standing from the Maryland Court of Appeals attesting to Mr. Roberts good standing in Maryland, the jurisdiction where he practices. I also attach a proposed order.

Date September 2, 2009

City, State New York, NY

Respectfully submitted,



James R. Kahn
Deputy University Counsel and Secretary of
the Medical College
Weill Cornell Medical College
445 East 69th Street, Suite 432
New York, NY 10021
Phone: 212.746.0463
Fax: 212.746.0495

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

THE AUTHORS GUILD, INC., *
ASSOCIATION OF *
AMERICAN PUBLISHERS, INC., *
*
et al., *
Plaintiffs, * Civil Action No.: 05-CV-8136-DC
*
v. *
GOOGLE, INC., *
*
Defendant.

* * * * * * * * * * * * * * * * * *
AFFIDAVIT OF JAMES R. KAHN IN SUPPORT OF
MOTION TO ADMIT COUNSEL PRO HAC VICE

James R. Kahn, being duly sworn, hereby deposes and says as follows:

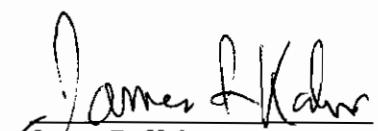
1. I am Deputy University Counsel of Cornell University and Secretary of the Medical College of Weill Cornell Medical College. I make this statement based on my personal knowledge of the facts set forth herein and in support of the motion to admit Philip Roberts as counsel pro hac vice to represent the Johns Hopkins University in this matter.
2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in 1981. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
3. I am familiar with the background and credentials of Mr. Roberts and believe him to be a skilled attorney and a person of integrity.
4. Mr. Roberts is Associate General Counsel for the Johns Hopkins University in Baltimore, Maryland.
5. Mr. Roberts is experienced in Federal practice and is familiar with the Federal Rules of Procedure.
6. Accordingly, I am pleased to move the admission of Philip Roberts, pro hac vice.
7. I respectfully submit a proposed order granting the admission of Philip Roberts, pro hac vice.

WHEREFORE it is respectfully requested that the motion to admit Philip Roberts, pro hac vice, to represent Plaintiff in the above captioned matter, be granted.

Date September 2, 2009

City, State New York, NY

Respectfully submitted,



James R. Kahn
Deputy University Counsel and
Secretary of the Medical College
Weill Cornell Medical College
445 East 69th Street, Suite 432
New York, NY 10021
Phone: 212.746.0463
Fax: 212.746.0495

To whom it may concern:

I, MICHAEL D. SMITH, hereby certify that on this 2nd day of September, 2009,
JAMES R. KAHN appeared before me and provided sufficient
identification that he is the person who signed/executed this document in the capacity
herein stated and for the purposes therein contained.

In witness thereof, I hereunto set my hand and official seal:

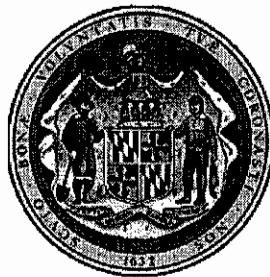


Notary Public

My commission Expires:

MICHAEL DAVID SMITH
NOTARY PUBLIC-STATE OF NEW YORK
No. 029M6081809
Qualified in Nassau County
MY COMMISSION EXPIRES October 15, 2010

Court of Appeals
of Maryland
Annapolis, MD



CERTIFICATE OF GOOD STANDING

STATE OF MARYLAND, ss:

*I, Bessie M. Decker, Clerk of the Court of Appeals of Maryland,
do hereby certify that on the sixteenth day of December, 1988,*

Philip Shams Roberts

*having first taken and subscribed the oath prescribed by the Constitution and
Laws of this State, was admitted as an attorney of said Court, is now in good
standing, and as such is entitled to practice law in any of the Courts of said
State, subject to the Rules of Court.*

*In Testimony Whereof, I have hereunto
set my hand as Clerk, and affixed the Seal
of the Court of Appeals of Maryland, this
twenty-eighth day of August, 2009.*

Bessie M. Decker

Clerk of the Court of Appeals of Maryland

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

THE AUTHORS GUILD, INC., *
ASSOCIATION OF *
AMERICAN PUBLISHERS, INC., *
*
et al., *
Plaintiffs, * Civil Action No.: 05-CV-8136-DC
GOOGLE, INC., *
*
Defendant.

* * * * *

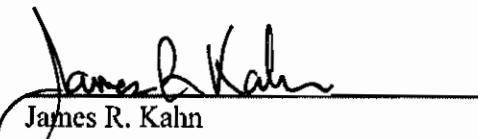
CERTIFICATE OF SERVICE

I hereby certify that on September 2nd 2009, a copy of the Motion for Admission
to Admit Counsel Pro Hac Vice was mailed via first class mail, postage prepaid to:

Michael J. Boni, Esq.
Joanne Zack, Esq.
Joshua Snyder, Esq.
Boni & Zack LLC
15 St. Asaphs Road
Bala Cynwyd, PA 19004
Bookclaims@bonizack.com
Counsel for the Author Sub-Class

Jeffrey P. Cunard, Esq.
Bruce P. Keller, Esq.
Debevoise & Plimpton LLP
919 Third Avenue
New York, NY 10022
Bookcoaims@debevoise.com
Counsel for the Publisher Sub-Class

Daralyn J. Durie, Esq.
David J. Silbert, Esq.
Joseph C. Gratz, Esq.
Keker & Van Nest LLP
710 Sansome Street
San Francisco, CA 94111
Bookclaims@kvn.com
Counsel for Google



James R. Kahn
Deputy University Counsel and Secretary of
the Medical College
Weill Cornell Medical College
445 East 69th Street, Suite 432
New York, NY 10021
Phone: 212.746.0463
Fax: 212.746.0495

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

THE AUTHORS GUILD, INC.,

*

ASSOCIATION OF
AMERICAN PUBLISHERS, INC.,

*

*

et al.,

*

Plaintiffs,

*

Civil Action No.: 05-CV-8136-DC

v.

*

GOOGLE, INC.,

*

*

Defendant.

* * * * *

ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION

Upon the motion of James R. Kahn attorney for the Johns Hopkins University and said sponsor attorney's affidavit in support; **IT IS HEREBY ORDERED** that

Applicant's Name: Philip Roberts

Firm Name: The Johns Hopkins University

Address: 3400 North Charles Street / 113 Garland Hall

City/State/Zip: Baltimore, MD 21218

Telephone/Fax: (410) 516-8128 / (410) 516-5448

Email Address: philroberts@jhu.edu

is admitted to practice pro hac vice as counsel for the Johns Hopkins University in the above captioned case in the United States District Court for the Southern District of New

York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac vice fee to the Clerk of Court.

Dated: _____

City, State: _____

United States District/Magistrate Judge